Immigration and Refugee Board of Canada

Performance Report

For the period ending March 31, 2015

The original version was signed by

The Honourable John McCallum
Minister of Immigration, Refugees and Citizenship

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represented by the Minister of Citizenship and Immigration, 2015

Catalogue No. MQ1-6E-PDF
ISSN 2368-2752

This document is available on the
Immigration and Refugee Board of Canada website.[1]

This document is available in alternative formats upon request.

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Institutional Head's Message

I am pleased to present the *2014–15 Performance Report* for the Immigration and Refugee Board of Canada (IRB). This report is a comprehensive review of the IRB's performance and accomplishments as set against stated plans and priorities for 2014–15.

The IRB is an independent tribunal entrusted by Parliament with resolving immigration and refugee cases efficiently, fairly and in accordance with the law. Through the work of its four divisions, namely the Refugee Protection Division (RPD), the Refugee Appeal Division (RAD), the Immigration Division (ID) and the Immigration Appeal Division (IAD), the Board contributes directly to Canada's humanitarian traditions, the security of Canada, as well as to the fulfillment of Canada's international obligations.

With this in mind, the IRB worked closely with portfolio organizations over the reporting period and is contributing to the horizontal three-year review of the new refugee determination system led by Citizenship and Immigration Canada (CIC). Through this initiative, the Board will examine its key challenges and areas of success in order to optimize how immigration and refugee cases are processed, and to evolve as an adaptive organization, that renders timely, quality and fair decisions for those seeking a new life in Canada.

A YEAR OF CONSOLIDATION...

To this end, the IRB's divisions maintained a high level of productivity, with case volumes increasing for the RPD and the RAD in particular.

Using the new integrated strategic planning process involving employees in all IRB offices, the organization showed flexibility and adaptability in implementing its objectives. The quality and fairness of processes and decisions remained a central concern for the divisions as well as Internal Services personnel. In short, everyone involved understands their roles and is working together to achieve the best results.

...AND CHALLENGES

Notwithstanding the complexity of cases heard by divisions and the changing environment in which the IRB operates, employee dedication and commitment over the reporting period balanced these pressures and helped maintain excellent performance in a number of areas.

Specifically, the RPD and the RAD continued to respond to the challenges of the new refugee determination system throughout the year by increasing productivity, introducing a significant number of new decision-makers and improving procedures. Faced with certain operational realities of the new system, however, the IRB notes that various hypotheses and projections made before the new refugee reform legislation came into force in 2012, will have to be reconsidered as the Board moves forward. A better understanding of these issues will enable us to adjust the Board's operations accordingly.

Moreover, in 2014–15, the IRB continued to significantly reduce the inventory of 32,000 refugee protection claims that were pending at the coming into force of the new legislation in December 2012 to fewer than 8,000 claims at the end of the reporting period. It is worth noting that this was accomplished without additional financial resources. The IRB also continued to internally reallocate resources to the IAD so that it could respond to a growing case inventory.

By conducting appropriate operational follow-ups in all areas and making adjustments as required, the Board adapted seamlessly to routine pressures and maintained the best results for Canadians and for those who appear before the four divisions. In so doing, the Board demonstrated ongoing commitment to and engagement of its employees, and ensured that financial and human resources were managed in accordance with the Treasury Board's high standards.

INNOVATION AND CONTINUITY

Looking ahead, the IRB continues to deliver a simpler, more accessible and expeditious form of justice within its divisions' proceedings, while continuing to be compliant with fairness and natural justice requirements.

The IRB will also keep pace with its evolving work environment, and leverage new tools, technology and ideas as required, in order to effectively manage the resources entrusted to it while providing high-quality service to Canadians and all individuals who appear before its divisions.

These efforts will further strengthen our reputation as an employer of choice, attracting and retaining the highest quality talent. With a committed team, a shared vision and an impressive year's work now behind us, I look forward with confidence to meeting our next commitments set out in the *2015–16 Report on Plans and Priorities*.

The original version was signed by

Mario Dion
Chairperson

SECTION I
Organizational Expenditure Overview

ORGANIZATIONAL PROFILE

Appropriate Minister: The Honourable John McCallum
Institutional Head: Mario Dion, Chairperson
Ministerial Portfolio: Immigration, Refugees and Citizenship[1]
Enabling Instrument: *Immigration and Refugee Protection Act*[ii] (IRPA)
Year of Incorporation/Commencement: 1989

ORGANIZATIONAL CONTEXT

RAISON D'ÊTRE AND RESPONSIBILITIES

Mission

The mission of the Immigration and Refugee Board of Canada (IRB), on behalf of Canadians, is to resolve immigration and refugee cases efficiently, fairly and in accordance with the law.

Mandate

Refugee Protection Division (RPD)

- Decides claims for refugee protection
- Decides applications for vacation of refugee protection
- Decides applications for cessation of refugee protection
- Decides pre-removal risk assessments (PRRAs) (not yet in force; to come into force on a day or days fixed by order of the Governor in Council [GIC])

Refugee Appeal Division (RAD)

- Where there is a right of appeal, decides appeals from decisions of the RPD allowing or rejecting claims for refugee protection

[1] Formerly Citizenship and Immigration

Immigration Division (ID)

- Conducts admissibility hearings for foreign nationals or permanent residents who seek entry into Canada, or who are already in Canada and are alleged to be inadmissible
- Conducts detention reviews for foreign nationals or permanent residents who are detained for immigration reasons

Immigration Appeal Division (IAD)

- Decides appeals of family sponsorship applications refused by Citizenship and Immigration Canada (CIC)
- Decides appeals from certain removal orders made against permanent residents, Convention refugees and other protected persons, and holders of permanent resident visas
- Decides appeals by permanent residents in which a CIC officer outside Canada has decided that they have not fulfilled their residency obligation
- Decides appeals by the Minister of Public Safety and Emergency Preparedness of ID decisions at admissibility hearings

Regional Operations

The IRB carries out its work in three regional offices located in Toronto (Central Region), Montréal (Eastern Region) and Vancouver (Western Region). The Central Region is responsible for Ontario, excluding Ottawa; the Eastern Region for Quebec, Ottawa and the Atlantic provinces; and the Western Region for the Western provinces and Northern territories. All four divisions hold hearings in these regions and are assisted by registry services and corporate support. The IRB also conducts hearings from offices in Calgary and Niagara Falls. Hearings are also held in a small number of itinerant locations. The IRB's National Headquarters are located in Ottawa.

Administrative Justice

Through the work of each division, the IRB strives to deliver a simpler, more accessible and expeditious form of justice than that provided by the courts. The IRB applies the principles of administrative law, including those of natural justice, in its proceedings. Its decisions are rendered in accordance with the law, including the *Canadian Charter of Rights and Freedoms*. The IRB is committed to fairness in all aspects of its work. Each case is decided on its own merits by independent decision-makers. The Board respects the dignity and diversity of the individuals who appear before it and their unique and sometimes extremely traumatic experiences.

Benefits for Canadians

Immigrants and refugees have always contributed significantly to Canada's growth and development. The IRB ensures continued benefits to Canadians in three important ways:

- In the resolution of refugee protection claims and refugee protection appeals, it ensures that Canada accepts those in need of protection in accordance with international obligations and Canadian law.

- Through admissibility hearings and detention reviews, it contributes to the integrity of our immigration system, balances the individual rights of foreign nationals and permanent residents against the safety and security of Canadians, and upholds Canada's reputation for justice and fairness.
- As an independent tribunal responsible for resolving sponsorship, removal order and residency obligation appeals, it helps to promote family reunification, ensures Canadians' safety and security, and safeguards the integrity of Canada's immigration system.

The IRB also contributes more broadly to the quality of life in Canada's communities by strengthening our country's social fabric and by reflecting and reinforcing the core values that are important to Canadians. These include respect for human rights, peace, security and the rule of law.

STRATEGIC OUTCOME AND PROGRAM ALIGNMENT ARCHITECTURE

Based on its legislated mandate and approved Program Alignment Architecture (PAA) for the 2014–15 reporting period, the IRB has a single strategic outcome and four core programs that include responsibility for all tribunal decisions and resolutions. The fifth program, Internal Services, supports the first four and the strategic outcome.

1. **Strategic Outcome**: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law
    - **1.1 Program**: Refugee Protection
    - **1.2 Program**: Refugee Appeal
    - **1.3 Program**: Admissibility Hearings and Detention Reviews
    - **1.4 Program**: Immigration Appeal

Internal Services

ORGANIZATIONAL PRIORITIES

Strategic Outcome: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law	
Priority	**Type**
1. Complete the transition to the new refugee determination system resulting from the implementation of the new legislation, while continuing to reduce the inventory of refugee protection claims pending at the coming into force of the new legislation	Previously committed to
Summary of Progress	
During the year, the RPD and the RAD continued to make adjustments as required to their processes, procedures and workload assumptions and implemented continuous improvements in order to respond to the demands of the new refugee determination system. Both divisions developed strategies to further build decision-making efficiency, match output to intake, and continued to focus on rendering timely decisions. The IRB continued to be adept at aligning its resources to address internal pressures and shifts in volume. As such it reallocated internal resources which led the IRB to exceed its targeted number of resolution of legacy refugee protection claims. Adaptability and flexibility were critical to the IRB's success in fine tuning its processes as it continued to gain experience within the reformed refugee determination system. Preparation for the transfer of responsibility of the PRRA function from CIC to the IRB occurred in the first half of 2014–15. Preparations are on hold pending an announcement on the implementation date of the transfer.	

Strategic Outcome: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law	
Priority	**Type**
2. Continue to resolve cases in a timely manner while ensuring quality and fairness	Ongoing
Summary of Progress	
The new refugee determination system imposed legislated time limits for proceedings before the RPD and the RAD. To meet the intent of the new legislation, the Board strove to achieve a high level of productivity and to render decisions within established performance targets. The ID continued to keep pace with a generally high intake and periodic spikes and remained a high-producing tribunal. The Board reallocated resources to ensure the timely resolution of immigration appeals and to build capacity to address its inventory of unresolved IAD cases. The IRB has identified case management measures, which will be implemented in 2015–16, to reduce the number of appeals waiting to be resolved for the IAD. The Board continued its success in reducing the inventory of pending legacy refugee protection claims.	

Strategic Outcome: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law	
Priority	**Type**
3. Continue to promote an adaptive, integrated and flexible organization that values its people	Ongoing
Summary of Progress	
The IRB continued to ensure the consistent delivery of high-quality administrative justice within an increasingly complex environment. In 2014–15, the IRB continued to adjust to the changes brought about by the reform of the refugee determination system and responded effectively to intake and workload across the four divisions. Emphasis was placed on operationalizing policies and procedures that support effective management of human resources, forward-thinking business planning and continuous improvement while supporting the Government of Canada's modernization initiatives. As part of its ongoing commitment to valuing people, IRB management strove to maintain a healthy workplace and workforce.	

RISK ANALYSIS

Key Risks

Risk	Risk Response Strategy	Link to PAA
Immigration appeal inventory	The IAD gradually increased its capacity in terms of decision-makers, early resolution officers, and hearing rooms.	▪ Immigration Appeal
	The IRB engaged with the Canada Border Services Agency (CBSA) early on to ensure that the Agency would be able to respond to an increased number of hearings at the IAD.	
Complement of GIC decision-makers	Fiscal year 2014–15 saw timely reappointments of decision-makers and reassignments of decision-makers to the RAD or the IAD.	▪ Refugee Protection ▪ Refugee Appeal ▪ Immigration Appeal
	The GIC decision-maker complement reached its near-full funded level and matched IAD, RAD and legacy workloads.	

IMMIGRATION APPEALS INVENTORY. The IAD returned to near-full strength through a concerted effort to restore its decision-maker complement. The additional decision-makers assigned to the Division helped to arrest the growth of its inventory. As well, output exceeded intake, resulting in a slight reduction of pending appeals.

COMPLEMENT OF GIC DECISION-MAKERS. The IRB closely managed its complement of GIC decision-makers to ensure that they were matched where the need was greatest among the IRB's programs. The IRB benefited from timely reappointments by the GIC. This allowed the IRB to assign more decision-makers to the IAD and to permit the RAD to progressively expand its complement in line with its growing workload. GIC decision-makers who remained assigned to the RPD continued to reduce the inventory of legacy refugee protection claims. The IRB continues to inform the Government of the IRB's caseload so that future appointments and reappointments align with evolving workload demands.

ACTUAL EXPENDITURES

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
121,060,649	121,060,649	128,688,019	119,750,033	(1,310,616)

HUMAN RESOURCES (Full-Time Equivalents [FTEs])

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
1,050	970	(80)

BUDGETARY PERFORMANCE SUMMARY FOR STRATEGIC OUTCOME AND PROGRAMS (dollars)

Strategic Outcome, Programs and Internal Services	2014–15 Main Estimates	Planned Spending			2014–15 Total Authorities Available for Use	Actual Spending (authorities used)		
		2014–15	2015–16	2016–17		2014–15	2013–14	2012–13
Strategic Outcome: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law								
Refugee Protection	53,292,210	53,292,210	46,343,210	50,410,554	53,378,946	49,291,278	55,762,477	69,780,481
Refugee Appeal	10,756,411	10,756,411	13,725,196	13,725,196	11,763,732	10,865,389	7,504,740	3,818,100
Admissibility Hearings and Detention Reviews	10,008,164	10,008,164	8,827,134	8,827,134	12,456,011	11,316,805	12,366,193	11,078,782
Immigration Appeal	17,883,497	17,883,497	15,099,168	15,099,168	16,010,506	14,863,181	12,516,921	14,521,651
Subtotal	**91,940,282**	**91,940,282**	**83,994,708**	**88,062,052**	**93,609,195**	**86,336,653**	**88,150,331**	**99,199,014**
Internal Services	29,120,367	29,120,367	28,714,783	28,618,663	35,078,824	33,413,380	33,769,989	35,059,429
TOTAL	121,060,649	121,060,649	112,709,491	116,680,715	128,688,019	119,750,033	121,920,320	134,258,443

The gradual decrease in actual spending from 2012–13 to 2014–15 is mainly attributable to reduced funding levels from 2012–13, which were made available to enable the IRB to implement the new refugee determination system.

ALIGNMENT OF SPENDING WITH THE WHOLE-OF-GOVERNMENT FRAMEWORK

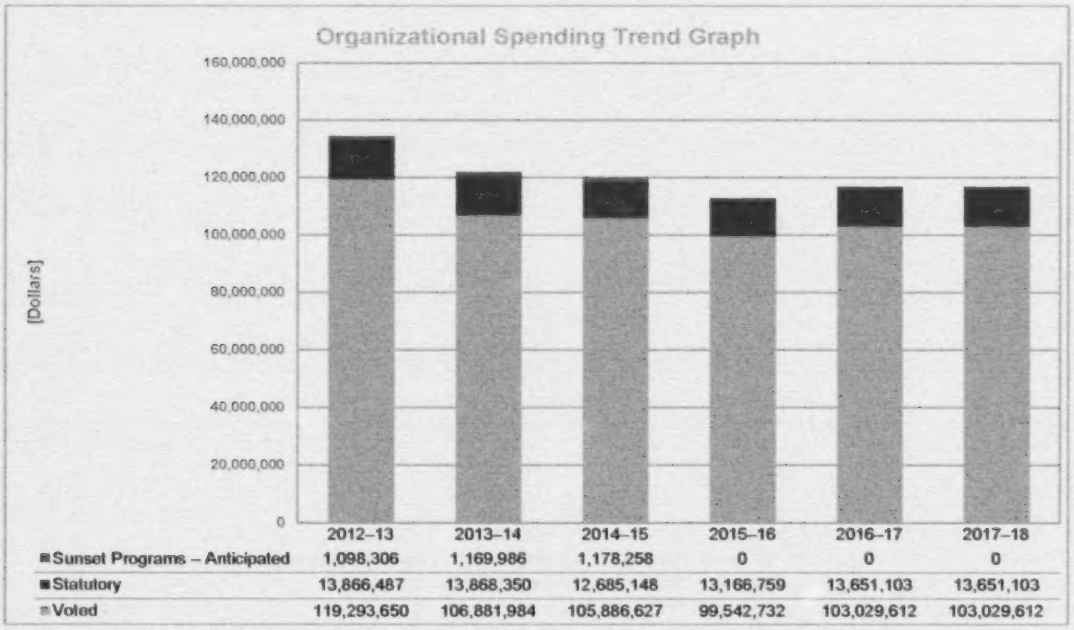
ALIGNMENT OF 2014–15 ACTUAL SPENDING WITH THE WHOLE-OF-GOVERNMENT FRAMEWORK[iii] (dollars)

Strategic Outcome and Programs	Spending Area	Government of Canada Outcome	2014–15 Actual Spending
Strategic Outcome: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law			
1.1 Refugee Protection	International Affairs	A safe and secure world through international engagement	49,291,278
1.2 Refugee Appeal	International Affairs	A safe and secure world through international engagement	10,865,389
1.3 Admissibility Hearings and Detention Reviews	Social Affairs	A safe and secure Canada	11,316,805
1.4 Immigration Appeal	Social Affairs	A safe and secure Canada	14,863,181

TOTAL SPENDING BY SPENDING AREA (dollars)

Spending Area	Total Planned Spending	Total Actual Spending
Economic Affairs	0	0
Social Affairs	27,891,661	26,179,986
International Affairs	64,048,621	60,156,667
Government Affairs	0	0

ORGANIZATIONAL SPENDING TREND



	2012–13	2013–14	2014–15	2015–16	2016–17	2017–18
Sunset Programs – Anticipated	1,098,306	1,169,986	1,178,258	0	0	0
Statutory	13,866,487	13,868,350	12,685,148	13,166,759	13,651,103	13,651,103
Voted	119,293,650	106,881,984	105,886,627	99,542,732	103,029,612	103,029,612

The decrease in voted spending since 2012–13 is mainly attributable to a reduction in the funding provided to enable the IRB to implement the new refugee determination system. The Sunset Program funding related to cases requiring the protection of information pursuant to Division 9 of the IRPA ended in 2014–15. The required funding is in the process of being renewed, but it has not yet been approved for inclusion in future year reference levels.

EXPENDITURES BY VOTE

For information on the IRB's organizational voted and statutory expenditures, consult the *Public Accounts of Canada 2015*,[iv] which is available on the Public Works and Government Services Canada (PWGSC) website[v].

SECTION II
Analysis of Programs by Strategic Outcome

STRATEGIC OUTCOME

Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law

PERFORMANCE MEASUREMENT

Performance Indicator	Target	Actual Results
Percentage of IRB decisions overturned by the Federal Court	Less than 1.0%	1.0%

(This quality indicator is used in addition to the indicators described in the programs.)

2014–15 HIGHLIGHTS

- STRATEGIC OUTCOME SUCCESSFULLY ACHIEVED
- 44,600 CASES RESOLVED
- 1.0% OF DECISIONS OVERTURNED BY THE FEDERAL COURT
- THE ORGANIZATION FOCUSED ON:
  - ENSURING THAT ITS PROCESSES AND RESOURCES WERE EFFECTIVELY ALIGNED AND RESPONDED TO ITS OPERATIONAL NEEDS
  - REMAINING ADAPTIVE AND FLEXIBLE TO ENSURE THE IRB'S SUCCESS IN FINE-TUNING ITS PROCESSES AS IT CONTINUED TO GAIN EXPERIENCE WITH THE REFORMED REFUGEE DETERMINATION SYSTEM
  - LAYING THE GROUNDWORK FOR ADDRESSING THE PENDING INVENTORY OF IAD APPEALS
  - REDUCING THE INVENTORY OF PENDING LEGACY REFUGEE PROTECTION CLAIMS
  - PREPARING FOR THE TRANSFER OF THE PRRA FUNCTION FROM CIC

PROGRAM 1.1: REFUGEE PROTECTION

DESCRIPTION

The Refugee Protection Division (RPD) delivers the IRB's **Refugee Protection program**. It renders quality decisions and resolves cases in a timely manner regarding refugee protection claims made by persons in Canada, and pre-removal risk assessments of persons subject to a removal order.

Additional information on the RPD[vi] is available on the IRB's website.

2014–15 HIGHLIGHTS

- 14,900 NEW REFUGEE PROTECTION CLAIMS WERE FILED AND 12,900 WERE RESOLVED
- 6,900 LEGACY CLAIMS WERE RESOLVED
- A TOTAL OF 19,800 REFUGEE PROTECTION CLAIMS WERE RESOLVED IN 2014–15

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
53,292,210	53,292,210	53,378,946	49,291,278	(4,000,932)

HUMAN RESOURCES (FTEs)

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
525	485	(40)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Fair and focused proceedings	Average score of cases measured against criteria for fair and focused proceedings on a 1-to-3 scale	2.0	2.1
Decisions that are clear, complete and concise	Average score of cases measured against criteria for quality decisions on a 1-to-3 scale	2.0	2.1
Timely decisions rendered	Percentage of designated country of origin (DCO) claims made inland that are decided within 25 days of the 30-day time limit for the first hearing	60%	58%
	Percentage of DCO claims made at a port of entry (POE) that are decided within 25 days of the 45-day time limit for the first hearing	70%	60%
	Percentage of non-DCO claims made either inland or at a POE that are decided within 25 days of the 60-day time limit for hearings	80%	69%

PERFORMANCE ANALYSIS AND LESSONS LEARNED

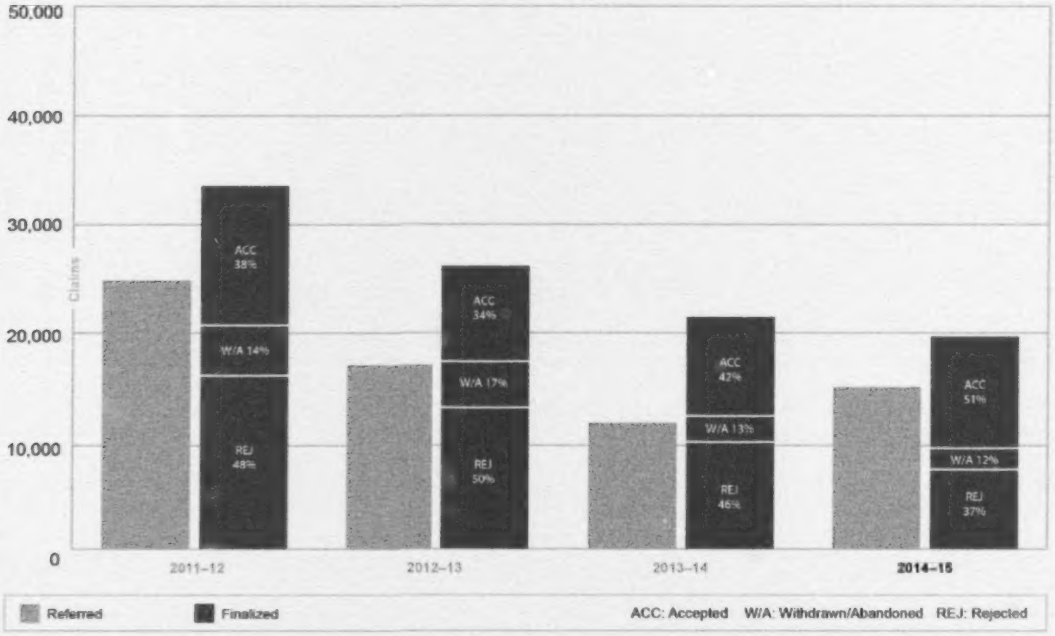
During fiscal year 2014–15, the RPD continued to make high-quality and timely decisions on the matters before it. During the second full year of operation under the reformed legislative scheme that came into force on December 15, 2012, adjustments to processes and procedures were made and various improvements were implemented in order to respond to the demands of the new refugee determination system. The Division worked towards matching the intake of new claims with an equal output of quality decisions on refugee protection. The RPD also processed claims referred back for re-determination from the Federal Court and from the RAD, as well as applications brought forward to cease or vacate refugee protection by the Minister.

Considerations of natural justice and fairness remained paramount in the Division. The quality of RPD decisions continued to be supported by up-to-date country-of-origin information and ongoing professional development.

Through reallocation of internal resources, the IRB was able to reduce the inventory of legacy refugee protection claims. Almost 7,000 legacy claims were resolved, exceeding the 5,300 finalizations forecasted for 2014–15. The IRB has successfully reduced the number of pending legacy claims from 32,000 cases in December 2012 to 8,000 at the end of the reporting period. GIC decision-makers who were not assigned to another division focused on the efficient processing of these claims, while RPD public servant decision-makers contributed to this initiative as capacity within the Division allowed. In total, 19,800 refugee protection claims were finalized over the course of the year. The average processing time for claims referred after December 15, 2012, and finalized in the reporting period (12,900 total claims), was approximately 4.5 months. The percentage of decisions made within 25 days of the time limit for hearings was lower than targeted. It is noteworthy that claims having hearings delayed by factors that are outside of the IRB's control, such as those related to fairness and natural justice, account for a substantial proportion of the shortfall. Performance targets for 2015–16 have been revised to focus on results that are fully within the Board's control.

Preparation for the PRRA function transfer from CIC to the IRB (except those cases requiring a balancing of Canada's security and protection interests) occurred in the first half of 2014–15. This work included consultation on and drafting of the Chairperson's proposed rules, adjustments to the IRB's electronic case tracking system and the development of training materials. Preparations were suspended pending an announcement on the implementation of the transfer.

Refugee Protection Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.2: REFUGEE APPEAL

DESCRIPTION

The Refugee Appeal Division (RAD) delivers the IRB's **Refugee Appeal program**. It renders quality decisions and resolves cases in a timely manner regarding appeals against a decision made on a refugee protection claim of the Refugee Protection Division.

Additional information on the RAD[vi] is available on the IRB's website.

2014–15 HIGHLIGHTS

- **2,500 APPEALS FILED**
- **2,100 APPEALS FINALIZED**

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
10,756,411	10,756,411	11,763,732	10,865,389	108,978

HUMAN RESOURCES (FTEs)

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
75	69	(6)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Fair and focused proceedings	Average score of cases measured against criteria for fair and focused proceedings on a 1-to-3 scale	2.0	Results will be reported in 2015–16.
Decisions that are clear, complete and concise	Average score of cases measured against criteria for quality decisions on a 1-to-3 scale	2.0	
Timely decisions rendered	Percentage of decisions made within 90 days of the filing and perfecting of an appeal when there is no oral hearing	80%	56%

PERFORMANCE ANALYSIS AND LESSONS LEARNED

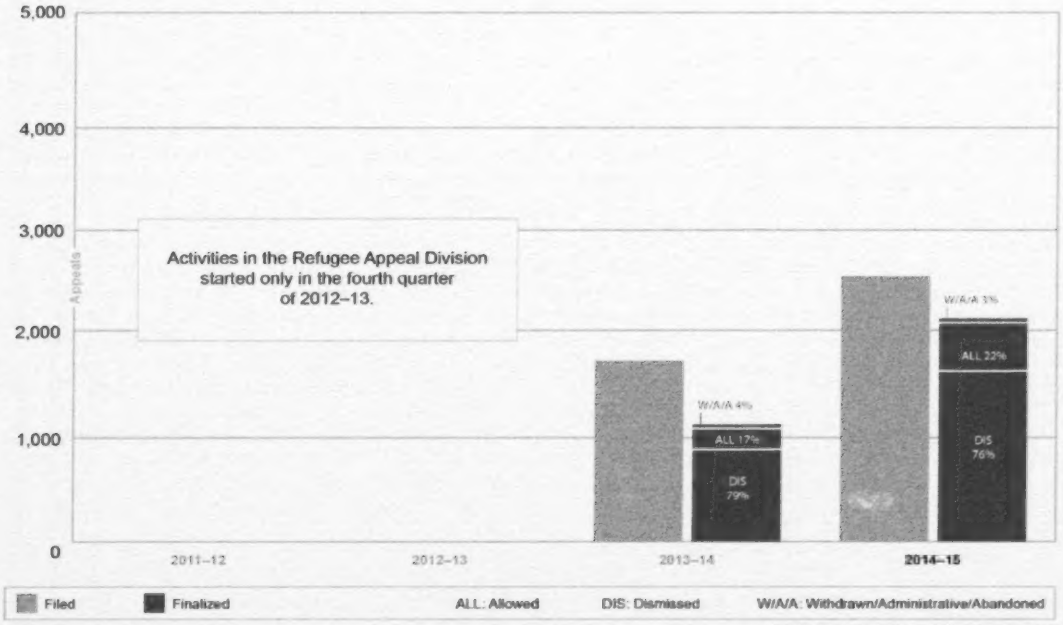
As a new tribunal, the RAD continued to establish best practices for efficiency of its operations and the quality of its decisions. Although the RAD was launched on December 15, 2012, Fiscal Year 2014–15 was the RAD's first full year of operation given the time lag in the filing of refugee appeals under the new refugee determination system. As a result, the Division continued to closely monitor its operations in order to increase decision-maker efficiency and make any adjustments that may be required for the Division to meet its mandate effectively.

Decisions of the Federal Court continued to profoundly impact the work of RAD decision-makers, and the RAD had to make substantial adjustments throughout the year in response to the evolving jurisprudence. The number of appeals filed at the RAD in 2014–15 increased by 46 percent from the previous year and the finalizations increased by 87 percent from the previous year. The percentage of decisions made within 90 days of the filing and perfecting of an appeal was lower than the target of 80 percent.

It is noteworthy that the complexity of the cases in its inventory, combined with the need for the RAD to comply with legislated time frames, is adding to the efforts required to finalize an appeal. Due to the complex and novel issues arising from the caseload, the RAD held regular professional development sessions to promote quality, efficiency and consistency in the Division. The RAD continued to review its processes and training as it welcomed new decision-makers. The Division is working towards meeting its target, and increased productivity is expected to allow the RAD to meet its legislated time limits.

In line with its commitment to make the appeal more accessible for persons who have a right of appeal to the RAD, the Division delivered information sessions during the reporting period. As well, the RAD gave access to its public reasons, once they were translated and available in both official languages, by providing them to the Canadian Legal Information Institute for publication on their website, which can be accessed for free by everyone. The Division continued to engage the stakeholder community in shaping the processes and tools, so that counsel and self-represented appellants have the means to file an appeal that complies with the *Refugee Appeal Division Rules* and the applicable time limits.

Refugee Appeal Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.3: ADMISSIBILITY HEARINGS AND DETENTION REVIEWS

DESCRIPTION

The Immigration Division (ID) delivers the **Admissibility Hearings and Detention Reviews program**. It renders quality decisions and resolves cases in a timely manner regarding foreign nationals or permanent residents who are alleged to be inadmissible to Canada pursuant to the *Immigration and Refugee Protection Act* (IRPA) and foreign nationals or permanent residents who are detained under IRPA authority.

Additional information on the ID[viii] is available on the IRB's website.

2014–15 HIGHLIGHTS

- **1,900 ADMISSIBILITY HEARINGS WERE FINALIZED**
- **14,600 DETENTION REVIEWS WERE FINALIZED**

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
10,008,164	10,008,164	12,456,011	11,316,805	1,308,641

HUMAN RESOURCES (FTEs)

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
85	79	(6)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Fair and focused proceedings	Average score of cases measured against criteria for fair and focused proceedings on a 1-to-3 scale	2.0	2.2
Decisions that are clear, complete and concise	Average score of cases measured against criteria for quality decisions on a 1-to-3 scale	2.0	2.3
Timely decisions rendered	Percentage of detention review cases concluded within statutory time limits	96%[1]	98%
	Percentage of admissibility proceedings finalized within six months	86%[2]	90%

[1] Factors outside the IRB's control, such as prison lockdowns, impede the achievement of 100-percent compliance.
[2] Detention reviews take priority over admissibility hearings due to legislative time requirements. The number of referrals from the CBSA affects the capacity of the ID to conduct admissibility hearings.

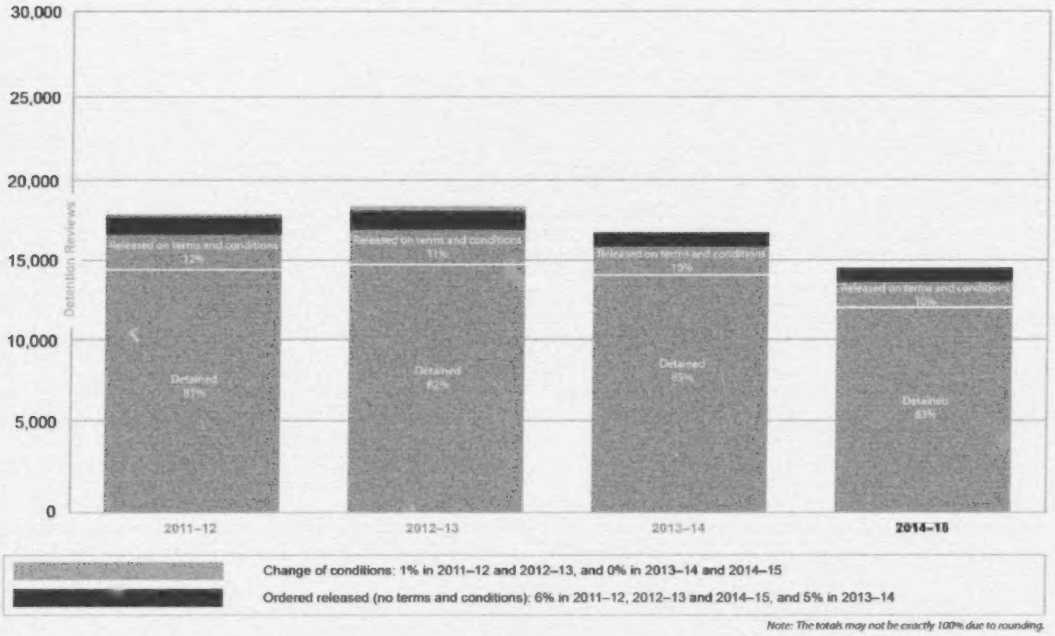
PERFORMANCE ANALYSIS AND LESSONS LEARNED

In line with the IRB's strategic priorities, during 2014–15 the ID continued to prioritize detention reviews to ensure that legislative requirements and fundamental rights are respected. At the same time, admissibility hearings were processed as efficiently as possible to finalize the majority of them within six months.

Despite the decrease in admissibility hearing referrals and detention review referrals, referrals remained above historical levels. The environment in which the ID operates and the cases it adjudicates have become increasingly complex. The Division adjudicated an increased number of cases involving complex criminal organizations and novel legal issues. In order to manage its case inventory, the Division continued to monitor its scheduling standards to ensure that predetermined productivity targets were being met. The proactive monitoring of case management practices allowed the ID to maintain reduced processing times and change of date and time rates, the result being cases resolved in a timely fashion. The ID, as a high-volume tribunal, maintained high levels of productivity. These results are demonstrative of the IRB's highly skilled and committed workforce.

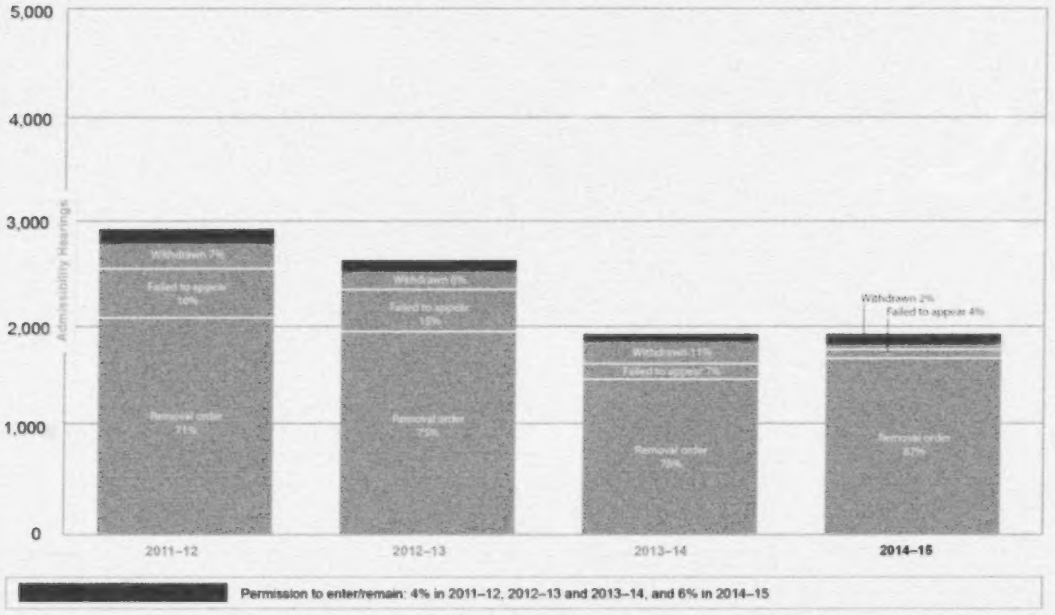
The Division continued to promote consistency in decision-making by identifying emerging issues, promoting open discussion among ID decision-makers on varying interpretations of the law, developing adjudicative tools and sustaining a learning environment for its decision-makers. Through ongoing communication and effective management, the Division continues to promote a work environment that builds on the individual skills and talents of its people.

Detention Reviews Performance



Note: The totals may not be exactly 100% due to rounding.

Admissibility Hearings Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.4: IMMIGRATION APPEAL

DESCRIPTION

The Immigration Appeal Division (IAD) delivers the **Immigration Appeal program**. It renders quality decisions and resolves cases in a timely manner regarding sponsorship applications refused by the Department of Citizenship and Immigration Canada; certain removal orders made against permanent residents, refugees and other protected persons and holders of permanent resident visas; permanent residents outside of Canada who have been found not to have fulfilled their residency obligation; and appeals by the Minister of Public Safety and Emergency Preparedness against a decision of the Immigration Division on admissibility.

Additional information on the IAD[ix] is available on the IRB's website.

2014–15 HIGHLIGHTS

- **5,500 IMMIGRATION APPEALS FILED**
- **6,200 IMMIGRATION APPEALS FINALIZED OR STAYED**

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
17,883,497	17,883,497	16,010,506	14,863,181	(3,020,316)

HUMAN RESOURCES (FTEs)

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
125	115	(10)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Fair and focused proceedings	Average score of cases measured against criteria for fair and focused proceedings on a 1-to-3 scale	2.0	2.9
Decisions that are clear, complete and concise	Average score of cases measured against criteria for quality decisions on a 1-to-3 scale	2.0	2.9
Timely decisions rendered	Percentage of appeals finalized compared to appeals filed	80%	105%

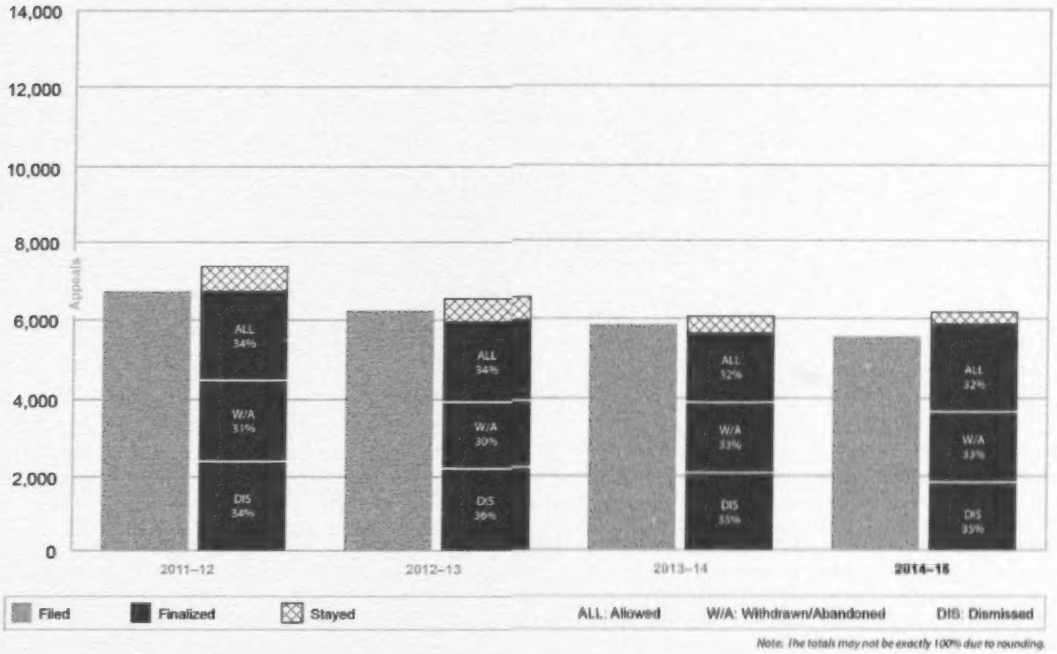
PERFORMANCE ANALYSIS AND LESSONS LEARNED

The IAD's highly trained decision-makers continued to conduct hearings that are varied in appeal type and process. While the IAD operated with a markedly reduced decision-maker complement in the previous reporting period, given that organizational strategic priorities were focused on refugee reform and the reduction of the RPD's significant pending inventory of legacy refugee protection claims, decision-maker resources were gradually reassigned to the IAD. By the end of the reporting period it was close to its full decision-maker capacity.

In 2014–15, 5,800 appeals were finalized and 400 stays were issued for a total of 6,200 appeals completed. A total of 500 appeals were resolved using alternate dispute resolution. Overall, output exceeded intake, resulting in a slight reduction of pending appeals. The environment in which the IAD operates and the cases it adjudicates have become increasingly complex. This is reflected in longer hearing times.

The IAD continued to respond in a flexible manner to match resources with regional caseloads by sharing decision-makers among regions and holding hearings by way of videoconference, where appropriate. The Division focused on finding administrative efficiencies that help reduce the average processing time through business mapping exercises. It also looked into developing ways to address similar case-type inventories in the most efficient manner possible and used early resolution strategies to manage its appeal inventory. In addition, the IAD continued to identify ways to resolve appeals outside of the full oral hearing or mediation process.

Immigration Appeal Performance



Note: The totals may not be exactly 100% due to rounding.

INTERNAL SERVICES

DESCRIPTION

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are Management and Oversight Services, Communications Services, Legal Services, Human Resources Management Services, Financial Management Services, Information Management Services, Information Technology Services, Real Property Services, Materiel Services, Acquisition Services, and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not those provided to a specific program.

2014–15 HIGHLIGHTS

- IN 2014–15 INTERNAL SERVICES MET THE SUPPORT NEEDS OF ALL FOUR CORE PROGRAMS
- IMPLEMENTED GOVERNMENT-WIDE INITIATIVES SUCH AS WORKPLACE 2.0, THE STANDARDIZATION OF ITS BACK-OFFICE SYSTEMS AND SERVICES AND THE NEW DIRECTIVE ON PERFORMANCE MANAGEMENT

BUDGETARY FINANCIAL RESOURCES (dollars)

2014–15 Main Estimates	2014–15 Planned Spending	2014–15 Total Authorities Available for Use	2014–15 Actual Spending (authorities used)	2014–15 Difference (actual minus planned)
29,120,367	29,120,367	35,078,824	33,413,380	4,293,013

HUMAN RESOURCES (FTEs)

2014–15 Planned	2014–15 Actual	2014–15 Difference (actual minus planned)
240	222	(18)

PERFORMANCE ANALYSIS AND LESSONS LEARNED

In 2014–15, Internal Services contributed to and supported the achievement of the IRB's strategic outcome and ensured that the appropriate human and financial resources, as well as technological tools, were in place to pursue its strategic and ongoing priorities. By making adjustments to programs, policies and processes, the Board ensured the continued success of the new refugee determination system.

Over the reporting period, the IRB continued to provide consistent and timely information to internal and external audiences and strengthened its engagement with key partners, stakeholders and the public through its Outreach Program. The IRB completed a comprehensive stakeholder mapping and analysis exercise to align resources, improve coordination of outreach activities, and establish a more strategic, evidence-based approach to stakeholder engagement.

Legal Services continued to play a key role in providing advice on developing innovative adjudicative strategies and provided training and support to decision-makers, allowing the IRB to finalize cases in a timely manner while ensuring quality and fairness. To manage performance, the Board carried out targeted evaluations and improvements to the system for measuring quantitative and qualitative tribunal performance.

In accordance with Government priorities, Workplace 2.0 and other Central Agency directives, the IRB modernized and reduced its office space and continued to standardize its back-office systems and services. The offices at the IRB's National Headquarters received a Silver Workplace 2.0 accreditation acknowledgement by PWGSC for providing a modern, sustainable and connected workplace where employees have a flexible and healthy work environment. In addition, the IRB completed the implementation of the Treasury Board Secretariat (TBS) financial system standard by adopting an enterprise resource management system shared by several departments on a common infrastructure.

The IRB continued to ensure that information technology and information management internal practices were aligned with TBS policies and Shared Services Canada support services in order to support the future implementation of an electronic document management system.

In order to improve and streamline human resources services, business process mapping of human resources processes was conducted, simplified supporting tools were developed and several pilots initiated. The process supporting the *Directive on Performance Management* was rolled out on time and in accordance with TBS expectations with a 89.7 percent compliance rate, which was 5 percent higher than average for the core public service.

SECTION III
Supplementary Information

FINANCIAL STATEMENTS HIGHLIGHTS

CONDENSED STATEMENT OF OPERATIONS (unaudited)

For the year ending March 31, 2015
(dollars)

Financial Information	2014–15 Planned Results	2014–15 Actual	2013–14 Actual	Difference (2014–15 actual minus 2014–15 planned)	Difference (2014–15 actual minus 2013–14 actual)
Total expenses	146,016,000	146,742,000	144,961,000	726,000	1,781,000
Total revenues	0	0	0	0	0
Net cost of operations before government funding and transfers	146,016,000	146,742,000	144,961,000	726,000	1,781,000

The increase in total expenses in 2014–15 is primarily due to an increase in professional services fees, acquisition of equipment and write-off of tangible capital assets.

CONDENSED STATEMENT OF FINANCIAL POSITION (unaudited)

As at March 31, 2015
(dollars)

Financial Information	2014–15	2013–14	Difference (2014–15 minus 2013–14)
Total net liabilities	20,188,000	14,453,000	5,735,000
Total net financial assets	9,486,000	5,157,000	4,329,000
Organizational net debt	10,702,000	9,296,000	1,406,000
Total non-financial assets	10,573,000	15,099,000	(4,526,000)
Organizational net financial position	(129,000)	5,803,000	(5,932,000)

In 2014–15, total liabilities increased by $5.7 million (40%) over the previous year's total liabilities. This increase is mainly due to an increase in accounts payable at year-end and accrued salaries.

Total net financial assets were $9.5 million at the end of 2014–15, an increase of $4.3 million (84%) over the previous year. This is mainly due to an increase in the Due from Consolidated Revenue Fund. Non-financial assets were $10.6 million at the end of 2014–15, a decrease of $4.5 million (30%) over the previous year. This is mainly due to the amortization of operational systems.

FINANCIAL STATEMENTS

The financial statements[x] can be found on the IRB's website.

SUPPLEMENTARY INFORMATION TABLE

The supplementary information table listed in the *2014–15 Performance Report* is available on the IRB's website.[i]

- Organizational Sustainable Development Strategy[xi]

TAX EXPENDITURES AND EVALUATIONS

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations*[xii] publication. The tax measures presented in the *Tax Expenditures and Evaluations* publication are the responsibility of the Minister of Finance.

SECTION IV
Organizational Contact Information

For more information, visit the IRB website[i] or contact the IRB through either the Contact Us[xiii] webpage or at the address indicated below.

Immigration and Refugee Board of Canada
Minto Place—Canada Building
344 Slater Street, 12th Floor
Ottawa, Ontario K1A 0K1
Twitter: @IRB_Canada

Appendix
Definitions

appropriation (*crédit*): Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (*dépenses budgétaires*): Includes operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report (*rapport ministériel sur le rendement*): Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Report on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent (*équivalent temps plein*): Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes (*résultats du gouvernement du Canada*): A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure (*Structure de la gestion, des ressources et des résultats*): A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures (*dépenses non budgétaires*): Includes net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (*rendement*): What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve and how well lessons learned have been identified.

performance indicator (*indicateur de rendement*): A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting (*production de rapports sur le rendement*): The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending (*dépenses prévues*): For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plan (*plan*): The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities (*priorité*): Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program (*programme*): A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture (*architecture d'alignement des programmes*): A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities (*rapport sur les plans et les priorités*): Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

result (*résultat*): An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (*dépenses législatives*): Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome (*résultat stratégique*): A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program (*programme temporisé*): A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (*cible*): A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (*dépenses votées*): Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

whole-of-government framework (*cadre pangouvernemental*): Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. IRB website, www.irb-cisr.gc.ca.

ii. *Immigration and Refugee Protection Act*, www.laws-lois.justice.gc.ca/eng/acts/I-2.5/index.html.

iii. Whole-of-government framework, www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx.

iv. Public Accounts of Canada 2015, www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html.

v. Public Works and Government Services Canada website, www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html.

vi. Refugee Protection Division, www.irb-cisr.gc.ca/eng/refcladem/pages/rpdspr.aspx.

vii. Refugee Appeal Division, www.irb-cisr.gc.ca/eng/refapp/pages/radsar.aspx.

viii. Immigration Division, www.irb-cisr.gc.ca/eng/detention/pages/idsi.aspx.

ix. Immigration Appeal Division, www.irb-cisr.gc.ca/eng/immapp/pages/iadsai.aspx.

x. Financial Statements, www.irb-cisr.gc.ca/eng/boacom/pubs/pages/etafinsta1415.aspx.

xi. Organizational Sustainable Development Strategy, www.irb-cisr.gc.ca/eng/boacom/pubs/pages/dprmr1415strat.aspx.

xii. *Tax Expenditures and Evaluations*, www.fin.gc.ca/purl/taxexp-eng.asp.

xiii. Contact Us, www.irb-cisr.gc.ca/eng/contact/pages/index.aspx.